

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Miyano Machinery USA Inc.,)	
)	
Plaintiff,)	
)	Civil Action No. 08 C 526
v.)	
)	Hon. Virginia Kendall
MiyanoHitec Machinery, Inc.,)	
Thomas ("Tom") Miyano, a/k/a)	Magistrate Judge Nolan
Toshiharu Miyano and Steven Miyano,)	
a/k/a Shigemori Miyano,)	
)	
Defendants)	JURY TRIAL DEMANDED
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MiyanoHitec Machinery, Inc.,)	
Thomas ("Tom") Miyano, a/k/a)	
Toshiharu Miyano and Steven Miyano,)	
a/k/a Shigemori Miyano,)	
)	
Counterclaim-Plaintiffs)	
)	
v.)	
)	
Miyano Machinery USA Inc. and)	
Miyano Machinery Inc.,)	
)	
Counterclaim-Defendants)	

NOTICE OF MOTION

To:

Geoffrey A. Baker	Robert M. Karton	Vernon W. Francissen
Geoffrey D. Smith	ROBERT M. KARTON, LTD.	FRANCISSSEN PATENT LAW, P.C.
DOWELL BAKER, P.C.	77 W. Washington St., Suite 900	53 W. Jackson Blvd.,
201 Main Street, Suite 710	Chicago, Illinois 60602-2804	Suite 1320
Lafayette, Indiana 47901	(312)214-0900 telephone	Chicago, Illinois 60604
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gabaker@dowellbaker.com		vern@francissenpatentlaw.com

PLEASE TAKE NOTICE, that on **Tuesday, March 25, 2008** at 9:00 a.m. or as soon thereafter as counsel may be heard in the above-captioned action, Plaintiff, Miyano Machinery USA Inc., shall appear before Judge Virginia

Kendall in the courtroom usually occupied by her, or before any Judge sitting in her stead, and shall then and there present the motion entitled **Motion to Strike**.

Respectfully submitted,

Dated: March 20, 2008

s/ Edward D. Manzo

Edward D. Manzo

Joel Bock

Louis J. Alex

Jason R. Smalley

Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

The undersigned declares that he/she is over the age of 18 years, not a party to this action, and employed in the County of Cook, by Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd., Attorneys at Law, 200 West Adams Street, Suite 2850, Chicago, Illinois 60606.

On the date listed below, I caused the filing of the foregoing **Notice of Motion** with all its attachments and exhibits. I caused the service of these aforementioned documents on the following individuals, as addressed below, by the means indicated, and on the date listed below:

Geoffrey A. Baker
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_____ (BY MAIL) by placing for collection and deposit in the United States mail true copies of the documents at Chicago, Illinois in a sealed envelope with postage thereon fully prepaid, to the Chicago, Illinois addressee(s) shown above at the address(es) shown above.

_____ (BY HAND DELIVERY) I caused each such document to be personally delivered by hand to the Chicago, Illinois addressee(s) shown above.

_____ (BY FACSIMILE) I caused each such document to be sent by facsimile to the addressee(s) shown above.

_____ (BY OVERNIGHT COURIER) I caused this document to be sent by overnight courier for next day delivery, with all charges pre-paid, to the addressee(s) shown above at the address(es) shown above.

 X (BY ELECTRONIC MEANS) I caused this document to be electronically mailed (emailed) to Vernon W. Francissen, at the address shown above.

 X (BY ELECTRONIC MEANS) I cause each such document to be sent by electronic means through the Electronic Court Filing system to Geoffrey A. Baker, Geoffrey D. Smith and Robert M. Karton at the address shown above, pursuant to LR 5.9.

Executed on March 20, 2008 at Chicago, Illinois.

Signed: s/ Edward Manzo